

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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HARRY J. COOPER,

Plaintiff,

v.

7:09-CV-0062

MICHAEL J. ASTRUE,  
COMMISSIONER OF SOCIAL SECURITY,

Defendant.  
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THOMAS J. McAVOY  
United States District Judge

**DECISION and ORDER**

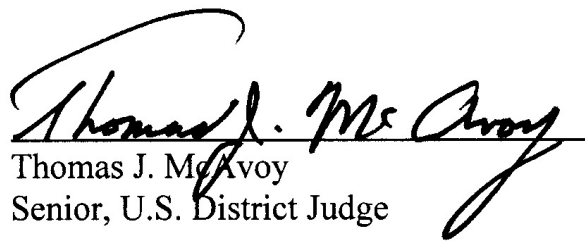
This matter brought pursuant to 42 U.S.C. §§ 405(g), 1383(c)(3), was referred to the Hon. Victor E. Bianchini, United States Magistrate Judge, for a Report-Recommendation pursuant to 28 U.S.C. § 636(b) and L.R. 72.3(c).

No objections to the May 27, 2010 Report-Recommendation have been raised. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, this Court adopts the Report-Recommendation for the reasons stated therein.

It is, therefore, ORDERED that the Commissioner of Social Security's decision denying disability benefits be REMANDED for further proceedings in accordance with the Report-Recommendation and pursuant to sentence four of 42 U.S.C. § 405(g).

IT IS SO ORDERED.

Dated: July 27, 2010



Thomas J. McAvoy  
Senior, U.S. District Judge